

Notice of Allowability

Application No.

09/550,311

Examiner

Crystal J. Barnes

Applicant(s)

PYOTSIA ET AL.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Reinstatement of Appeal Brief received on 3 November 2004.
2. ☒ The allowed claim(s) is/are 2-4 and 6-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The following is a Notice of Allowability in response to the Reinstatement of Appeal Brief received on 3 November 2004. Claims 2-4 and 6-15 remain pending in this application.

REASONS FOR ALLOWANCE

2. Claims 2-4 and 6-15 are allowed.

3. The following is an examiner's statement of reasons for allowance:

As per claim 2, the prior art of record taken alone or in combination fails to teach at least one mobile terminal arranged to communicate with the control system over a cellular communication system in order to selectively remotely control, configure or monitor the field devices and said interactive user interface being configured to modify content of the interactive user interface in response to requests or selections made by the mobile terminal and based on the configuration, control and management data retrieved from said at least one database of the control system, and to create control or configuration commands to the control system in response to selections or inputs made by the mobile terminal user in the interactive user interface.

As per claim 4, the prior art of record taken alone or in combination fails to teach at least one mobile terminal arranged to communicate with the control system over a cellular communication system in order to selectively remotely control, configure or monitor the field devices, wherein the identity of the field device is a tag number of the field device.

As per claim 11, the prior art of record taken alone or in combination fails to teach at least one mobile terminal arranged to communicate with the control system over a cellular communication system in order to selectively remotely control, configure or monitor the field devices, wherein the WWW server comprises a search function which, in response to an identity of a field device sent from the mobile terminal, searches the WWW page of the respective field device.

As per claim 15, the prior art of record taken alone or in combination fails to teach at least one mobile terminal arranged to communicate with the control system over a cellular communication system in order to selectively remotely control, configure or monitor the field devices, wherein said server WWW is configured to modify content of the at least one interactive WWW page in response to requests or selections made by the mobile terminal and based on the configuration, control and management data in said at least one database of the

control system, and to create control or configuration commands to the control system in response to selections or inputs made by the mobile terminal user in the at least one interactive WWW page.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to remote control of field devices in general:

USPN 6,674,363 B2 to Bartelheim et al.

US Pub. No. 2005/0130605 A1 to Karschnia et al.

US Pub. No. 2005/0122232 A1 to DeGroot

US Pub. No. 2003/0204373 A1 to Zielinski et al.

US Pub. No. 2002/0046290 A1 to Andersson et al.

JPPN 2003-134261 A to ADACHI et al.

DE Pub. No. 10248152 A to WAGENER

DE Pub. No. 10252277 A1 to WIESE et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB
12 September 2005


Anthony Knight
Supervisory Patent Examiner
Group 3600